



House of Representatives

General Assembly

File No. 480

January Session, 2019

Substitute House Bill No. 7140

House of Representatives, April 8, 2019

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT IMPLEMENTING THE DEPARTMENT OF
TRANSPORTATION'S RECOMMENDATIONS REGARDING SEAT
BELTS, THE OPERATION LIFESAVER PROGRAM, MAINTENANCE
VEHICLES AND TRANSPORTATION STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-100a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (c) (1) The operator of and any [front seat] passenger in any motor
5 vehicle or fire fighting apparatus originally equipped with seat safety
6 belts complying with the provisions of 49 CFR 571.209, as amended
7 from time to time, shall wear such seat safety belt while the vehicle or
8 fire fighting apparatus is being operated on any highway, except as
9 follows:

10 (A) A child under eight years of age shall be restrained as provided
11 in subsection (d) of this section; and

12 (B) The operator of such vehicle shall secure or cause to be secured
13 in a seat safety belt any passenger eight years of age or older and
14 under sixteen years of age. [; and]

15 [(C) If the operator of such vehicle is under eighteen years of age,
16 such operator and each passenger in such vehicle shall wear such seat
17 safety belt while the vehicle is being operated on any highway.]

18 (2) The provisions of subdivision (1) of this subsection shall not
19 apply to: (A) [any] Any person whose physical disability or
20 impairment would prevent restraint in such safety belt, provided such
21 person obtains a written statement from a licensed physician or a
22 licensed advanced practice registered nurse containing reasons for
23 such person's inability to wear such safety belt and including
24 information concerning the nature and extent of such condition. Such
25 person shall carry the statement on his or her person or in the motor
26 vehicle at all times when it is being operated, or (B) an authorized
27 emergency vehicle, other than fire fighting apparatus, responding to
28 an emergency call or a motor vehicle operated by a rural letter carrier
29 of the United States postal service while performing his or her official
30 duties or by a person engaged in the delivery of newspapers.

31 (3) Failure to wear a seat safety belt shall not be considered as
32 contributory negligence nor shall such failure be admissible evidence
33 in any civil action.

34 (4) No officer may stop a motor vehicle for the apparent or actual
35 failure of a back seat passenger to wear a seat safety belt.

36 [(4)] (5) Any operator of a motor vehicle, who is eighteen years of
37 age or older, and any passenger in such motor vehicle, who violates
38 any provision of this subsection shall have committed an infraction
39 and shall be fined fifty dollars. Any operator of a motor vehicle who is
40 under eighteen years of age and any passenger in such motor vehicle
41 who violates any provision of this subsection shall have committed an
42 infraction and shall be fined seventy-five dollars. Points may not be
43 assessed against the operator's license of any person convicted of such

44 violation.

45 Sec. 2. Section 54-33m of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective October 1, 2019*):

47 The failure of an operator of, or [front seat] any passenger in, a
48 private passenger motor vehicle or vanpool vehicle to wear a seat
49 safety belt as required by section 14-100a, as amended by this act, shall
50 not constitute probable cause for a law enforcement official to conduct
51 a search of such vehicle and its contents.

52 Sec. 3. Section 13b-376 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective from passage*):

54 (a) [There is established an Operation Lifesaver Committee which
55 shall be within the Department of Transportation for administrative
56 purposes only. The committee] The Commissioner of Transportation
57 shall establish and operate an operation lifesaver program designed to
58 reduce the number of accidents at railway crossings and to increase the
59 public awareness of railroad crossing hazards. [Said committee shall
60 consist of the Commissioner of Transportation or his designee, the
61 Commissioner of Education or his designee, and the Commissioner of
62 Emergency Services and Public Protection or his designee, and six
63 members appointed as follows: Two representatives of civic
64 organizations, one appointed by the president pro tempore of the
65 Senate and one appointed by the minority leader of the House of
66 Representatives, a representative of the railroad industry appointed by
67 the speaker of the House of Representatives, a representative of a
68 parent teacher association appointed by the majority leader of the
69 Senate, a representative of a local law enforcement agency appointed
70 by the majority leader of the House of Representatives and a local
71 government official appointed by the minority leader of the Senate.
72 The Commissioner of Transportation shall serve as chairperson of the
73 committee. The committee shall meet at such times as it deems
74 necessary] The commissioner may enter into agreements with a
75 national nonprofit organization dedicated to increasing public safety
76 and providing education regarding railroad crossing hazards to

77 establish, operate and maintain the program.

78 (b) The [Operation Lifesaver Committee] commissioner shall: (1)
79 [Administer and operate the operation lifesaver program; (2) establish
80 committees to promote] Ensure the Operation Lifesaver Committee,
81 established pursuant to subsection (c) of this section, guides and
82 promotes the program on the local level; [(3)] (2) educate the public
83 with information designed to reduce the number of accidents, deaths
84 and injuries at railroad and at-grade crossings; [(4)] (3) encourage state
85 and local law enforcement agencies to vigorously enforce the law
86 governing motorist and pedestrian rights and responsibilities; [(5)] (4)
87 encourage the development of engineering and safety improvements;
88 [(6)] (5) encourage the maintenance of railroad and at-grade crossings;
89 [(7)] (6) if a national nonprofit organization operates and maintains the
90 program, require such organization to submit an annual report
91 regarding the status of the program and make any recommendations
92 regarding additional goals or objectives of the program to the [General
93 Assembly implementing the purposes of the committee. The
94 committee shall annually review its progress and submit its findings
95 and recommendation to the joint standing committee of the General
96 Assembly having cognizance of matters relating to transportation]
97 Operation Lifesaver Committee; and (7) adhere to the goals and
98 objectives of the program.

99 (c) There is established an Operation Lifesaver Committee which
100 shall be within the Department of Transportation. The committee shall
101 consist of the Commissioner of Transportation or the commissioner's
102 designee, the Commissioner of Emergency Services and Public
103 Protection or the commissioner's designee and the Commissioner of
104 Motor Vehicles or the commissioner's designee. The Commissioner of
105 Transportation or the commissioner's designee shall serve as
106 chairperson of the committee. The committee shall meet at such times
107 at it deems necessary.

108 (d) The Commissioner of Transportation may, within available
109 federal resources, make grants and otherwise administer funds to

110 public or private school systems to assist such school systems to
111 establish, operate or maintain an operation lifesaver training program.
112 The commissioner may apply for, receive and accept grants, gifts and
113 bequests of funds made available by any person, political subdivision
114 or entity, or any other agency, governmental or private, including the
115 United States or any of its agencies and instrumentalities, to carry out
116 the purposes of this section.

117 [(c)] (e) The Department of Transportation may adopt regulations,
118 in accordance with the provisions of chapter 54, to carry out the
119 purposes of this section.

120 Sec. 4. Section 14-96q of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective from passage*):

122 (a) A permit is required for the use of colored or flashing lights on
123 all motor vehicles or equipment specified in this section except: (1)
124 Motor vehicles not registered in this state used for transporting or
125 escorting any vehicle or load, or combinations thereof, which is either
126 oversize or overweight, or both, when operating under a permit issued
127 by the Commissioner of Transportation pursuant to section 14-270, as
128 amended by this act; or (2) motor vehicles or equipment that are (A)
129 equipped with lights in accordance with this section, (B) owned or
130 leased by the federal government, the state of Connecticut, or any
131 other state, commonwealth or local municipality, and (C) registered to
132 such governmental entity. When used in this section the term
133 "flashing" shall be considered to include the term "revolving".

134 (b) The Commissioner of Motor Vehicles, or such other person
135 specifically identified in this section, is authorized to issue permits for
136 the use of colored or flashing lights on vehicles in accordance with this
137 section, at the commissioner's or such person's discretion. Any person,
138 firm or corporation other than the state or any metropolitan district,
139 town, city or borough shall pay an annual permit fee of twenty dollars
140 to the commissioner for each such vehicle. Such fee shall apply only to
141 permits issued by the commissioner.

142 (c) A blue light or lights, including flashing blue lights, may be used
143 on a motor vehicle operated by an active member of a volunteer fire
144 department or company or an active member of an organized civil
145 preparedness auxiliary fire company who has been issued a permit by
146 the chief executive officer of such department or company to use such
147 a light while on the way to or at the scene of a fire or other emergency
148 requiring such member's services. Such permit shall be on a form
149 provided by the commissioner and may be revoked by such chief
150 executive officer or successor. The chief executive officer of each
151 volunteer fire department or company or organized civil preparedness
152 auxiliary fire company shall keep on file, on forms provided by the
153 commissioner, the names and addresses of members who have been
154 authorized to use flashing blue lights as provided in this subsection.
155 Such listing shall also designate the registration number of the motor
156 vehicle on which authorized flashing blue lights are to be used.

157 (d) A green light or lights, including flashing green lights, may be
158 used on a motor vehicle operated by an active member of a volunteer
159 ambulance association or company who has been issued a permit by
160 the chief executive officer of such association or company to use such a
161 light, while on the way to or at the scene of an emergency requiring
162 such member's services. Such permit shall be on a form provided by
163 the commissioner and may be revoked by such chief executive officer
164 or successor. The chief executive officer of each volunteer ambulance
165 association or company shall keep on file, on forms provided by the
166 commissioner, the names and addresses of members who have been
167 authorized to use flashing green lights as provided in this subsection.
168 Such listing shall also designate the registration number of the vehicle
169 on which the authorized flashing green lights are to be used.

170 (e) The commissioner may issue a permit for a red light or lights,
171 including flashing red lights, which may be used on a motor vehicle or
172 equipment (1) used by paid fire chiefs and their deputies and
173 assistants, up to a total of five individuals per department, (2) used by
174 volunteer fire chiefs and their deputies and assistants, up to a total of
175 five individuals per department, (3) used by members of the fire police

176 on a stationary vehicle as a warning signal during traffic directing
177 operations at the scene of a fire or emergency, (4) used by chief
178 executive officers of emergency medical service organizations, as
179 defined in section 19a-175, the first or second deputies, or if there are
180 no deputies, the first or second assistants, of such an organization that
181 is a municipal or volunteer or licensed organization, (5) used by local
182 fire marshals, or (6) used by directors of emergency management.

183 (f) The commissioner may issue a permit for a yellow or amber light
184 or lights, including flashing yellow or amber lights, which may be
185 used on motor vehicles or equipment that are (1) specified in
186 subsection (e) of this section, (2) maintenance vehicles, [as defined in
187 section 14-1,] or (3) vehicles transporting or escorting any vehicle or
188 load or combinations thereof, which is or are either oversize or
189 overweight, or both, and being operated or traveling under a permit
190 issued by the Commissioner of Transportation pursuant to section 14-
191 270, as amended by this act. A yellow or amber light or lights,
192 including flashing yellow or amber lights, may be used without
193 obtaining a permit from the Commissioner of Motor Vehicles on
194 wreckers registered pursuant to section 14-66, on vehicles of carriers in
195 rural mail delivery service or on vehicles operated by construction
196 inspectors employed by the state of Connecticut, authorized by the
197 Commissioner of Transportation, used during the performance of
198 inspections on behalf of the state. The Commissioner of Transportation
199 shall maintain a list of such authorized construction inspectors,
200 including the name and address of each inspector and the registration
201 number for each vehicle on which the lights are to be used.

202 (g) The Commissioner of Motor Vehicles may issue a permit for a
203 white light or lights, including flashing white lights, which may be
204 used on a motor vehicle or equipment as specified in subdivision (1),
205 (2), (4), (5) or (6) of subsection (e) of this section. A vehicle being
206 operated by a member of a volunteer fire department or company or a
207 volunteer emergency medical technician may use flashing white head
208 lamps, provided such member or emergency medical technician is on
209 the way to the scene of a fire or medical emergency and has received

210 written authorization from the chief law enforcement officer of the
211 municipality to use such head lamps. Such head lamps shall only be
212 used within the municipality granting such authorization or from a
213 personal residence or place of employment, if located in an adjoining
214 municipality. Such authorization may be revoked for use of such head
215 lamps in violation of this subdivision. For the purposes of this
216 subsection, the term "flashing white lights" shall not include the
217 simultaneous flashing of head lamps.

218 (h) The commissioner may issue a permit for emergency vehicles, as
219 defined in subsection (a) of section 14-283, to use a blue, red, yellow, or
220 white light or lights, including flashing lights or any combination
221 thereof.

222 (i) The commissioner may issue a permit for ambulances, as defined
223 in section 19a-175, which may, in addition to the flashing lights
224 allowed in subsection (h) of this section, use flashing lights of other
225 colors specified by federal requirements for the manufacture of an
226 ambulance. If the commissioner issues a permit for any ambulance,
227 such permit shall be issued at the time of registration and upon each
228 renewal of such registration.

229 (j) A green, yellow or amber light or lights, including flashing green,
230 yellow or amber lights or any combination thereof, may be used on a
231 maintenance vehicle owned and operated by the Department of
232 Transportation.

233 [(j)] (k) Use of colored and flashing lights except as authorized by
234 this section shall be an infraction.

235 Sec. 5. Section 14-270 of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective from passage*):

237 (a) The Commissioner of Transportation or other authority having
238 charge of the repair or maintenance of any highway or bridge is
239 authorized to grant permits for transporting vehicles or combinations
240 of vehicles or vehicles and load, or other objects not conforming to the

241 provisions of sections 14-98, 14-262, 14-262a, 14-264, 14-267a and 14-269
242 but, in the case of motor vehicles, only the Commissioner of
243 Transportation shall be authorized to issue such permits. Such permits
244 shall be written, and may limit the highways or bridges which may be
245 used, the time of such use and the maximum rate of speed at which
246 such vehicles or objects may be operated, and may contain any other
247 condition considered necessary by the authority granting the same,
248 provided the Department of Transportation shall not suffer any loss of
249 revenue granted or to be granted from any agency or department of
250 the federal government for the federal interstate highway system or
251 any other highway system.

252 (b) Any permit issued in respect to any vehicle, self-propelled
253 vehicle, or combination of vehicles or vehicle and trailer on account of
254 its excessive weight shall be limited to the gross weight shown or to be
255 shown on the commercial registration certificate or any commercial
256 registration certificate issued on an apportionment basis. A permit
257 granted under this section for a vehicle or load, greater than twelve
258 feet, but no greater than thirteen feet six inches in width and traveling
259 on undivided highways, shall require a single escort motor vehicle to
260 precede such vehicle or load. No escort motor vehicle shall be required
261 to follow such vehicle or load on such highways.

262 (c) Any permit issued under this section or a legible copy or
263 facsimile shall be retained in the possession of the operator of the
264 vehicle, self-propelled vehicle or combination of vehicles or vehicle
265 and trailer for which such permit was issued, except that an electronic
266 confirmation of the existence of such permit or the use of the special
267 number plates described in section 14-24 and any regulations adopted
268 thereunder shall be sufficient to fulfill the requirements of this section.

269 (d) (1) The owner or lessee of any vehicle may pay either a fee of
270 thirty dollars for each permit issued for such vehicle under this section
271 or a fee as described in subdivision (3) of this subsection for such
272 vehicle, payable to the Department of Transportation. (2) An
273 additional transmittal fee of five dollars shall be charged for each

274 permit issued under this section and transmitted via electronic means.
275 (3) The commissioner may issue an annual permit for any vehicle
276 transporting (A) a divisible load, (B) an overweight or oversized-
277 overweight indivisible load, or (C) an oversize indivisible load. The
278 owner or lessee shall pay an annual fee of nine dollars per thousand
279 pounds or fraction thereof for each such vehicle. A permit may be
280 issued in any increment up to one year, provided the owner or lessee
281 shall pay a fee of one hundred dollars for such vehicle or vehicle and
282 trailer for each month or fraction thereof. (4) The annual permit fee for
283 any vehicle transporting an oversize indivisible load shall not be less
284 than six hundred fifty dollars. (5) The commissioner may issue permits
285 for divisible loads in the aggregate not exceeding fifty-three feet in
286 length.

287 (e) (1) The Commissioner of Transportation shall adopt regulations
288 in accordance with chapter 54 prescribing standards for issuance of
289 permits for vehicles with divisible or indivisible loads not conforming
290 to the provisions of section 14-267a.

291 (2) In adopting regulations pursuant to this section, the
292 commissioner shall allow for the issuing of a wrecker towing or
293 transporting emergency permit, provided such movement of a
294 wrecked or disabled vehicle by a wrecker with a permit issued
295 pursuant to this subdivision shall be in accordance with any
296 limitations as to highway or bridge use and maximum rate of speed as
297 specified by the commissioner.

298 (f) The provisions of subsection (d) of this section shall not apply to
299 the federal government, the state, municipalities or fire departments.

300 (g) Any person who violates the provisions of any permit issued
301 under this section or fails to obtain such a permit, when operating any
302 motor vehicle or combination of vehicles described in section 14-163c,
303 shall be subject to the following penalties:

304 (1) A person operating a vehicle with a permit issued under this
305 section that exceeds the weight specified in such permit shall be subject

306 to a penalty calculated by subtracting the permitted weight from the
307 actual vehicle weight and the rate of the fine shall be fifteen dollars per
308 one hundred pounds or fraction thereof of such excess weight;

309 (2) A person who fails to obtain a permit issued under section 14-
310 262 or 14-264 and who is operating a vehicle at a weight that exceeds
311 the statutory limit for weight shall be subject to a penalty calculated by
312 subtracting the statutory limit for weight from the actual vehicle
313 weight and the rate of the fine shall be fifteen dollars per one hundred
314 pounds or fraction thereof of such excess weight;

315 (3) A person operating a vehicle with a permit issued under this
316 section that exceeds the length specified in such permit shall be subject
317 to a minimum fine of three hundred dollars;

318 (4) A person operating a vehicle with a permit issued under this
319 section that exceeds the width specified in such permit shall be subject
320 to a minimum fine of three hundred dollars;

321 (5) A person operating a vehicle with a permit issued under this
322 section that exceeds the height specified in such permit shall be subject
323 to a minimum fine of one thousand dollars;

324 (6) A person operating a vehicle with a permit issued under this
325 section on routes not specified in such permit, shall be fined (A) one
326 thousand five hundred dollars for each violation of the statutory limit
327 for length, width, height or weight, and (B) shall be subject to a penalty
328 calculated by subtracting the statutory weight limit of subsection (b) of
329 section 14-267a from the actual vehicle weight and such weight
330 difference shall be fined at the rate provided for in subparagraph (G)
331 of subdivision (2) of subsection (f) of section 14-267a; or

332 (7) A person (A) operating a vehicle with an indivisible load and
333 violating one or more of the provisions of subdivisions (1) to (6),
334 inclusive, of this subsection shall be required to obtain a permit, or (B)
335 operating a vehicle with a divisible load and violating one or more of
336 the provisions of subdivisions (1) to (6), inclusive, of this subsection

337 shall be required to be off loaded to the permit limit.

338 (h) (1) If the origin, destination, load description, tractor
339 registration, trailer registration, hours of travel, number of escorts,
340 signs or flags of a vehicle with a permit issued under this section differ
341 from those stated on such permit or required by regulations adopted
342 pursuant to this section, a minimum fine of two hundred dollars shall
343 be assessed for each such violation.

344 (2) If the days of travel of a vehicle with a permit issued under this
345 section differ from those stated on such permit or the vehicle is
346 operated under a false or fraudulent permit, a minimum fine of one
347 thousand five hundred dollars shall be assessed for such violation in
348 addition to any other penalties assessed.

349 (i) A person operating a vehicle under a forged permit shall be
350 subject to a minimum fine of ten thousand dollars, in addition to any
351 other penalties which may be assessed, and such vehicle shall be
352 impounded until payment of such fine or fines, or until order of the
353 Superior Court. As used in this subsection, "forged permit" means a
354 permit for a nonconforming vehicle that is subject to the provisions of
355 this section, that has been falsely made, completed or altered, and
356 "falsely made", "falsely completed" and "falsely altered" have the same
357 meaning as set forth in section 53a-137.

358 [(j) For the period beginning on July 1, 2016, and ending on June 30,
359 2017, the commissioner shall waive the amount of any fee increase
360 imposed under this section that took effect on July 1, 2016, for any
361 person who demonstrates to the satisfaction of the commissioner that
362 (1) such increased fee affects a material term in a contract for services
363 that is in effect on July 1, 2016, or is subject to competitive bidding on
364 July 1, 2016, and (2) such person is a party to such contract or a
365 participant in such competitive bidding process.]

366 Sec. 6. Subsections (a) to (c), inclusive, of section 13b-119 of the
367 general statutes are repealed and the following is substituted in lieu
368 thereof (*Effective October 1, 2019*):

369 (a) Prior to permitting an individual to act as a transportation
370 network company driver on its digital network, the transportation
371 network company shall: (1) Require the individual to submit an
372 application to the company that includes information regarding the
373 individual's name, address, date of birth, Connecticut motor vehicle
374 operator's license number and motor vehicle registration; (2) (A)
375 conduct, or have a consumer reporting agency regulated under the
376 federal Fair Credit Reporting Act conduct, a driving record check and
377 a local, state and national criminal history records check, including a
378 search of state and national sexual offender registry databases
379 provided such databases are accessible to the public, or (B) arrange for
380 the fingerprinting of the individual to be submitted to the Federal
381 Bureau of Investigation for a national criminal history records check
382 and to the State Police Bureau of Identification for a state criminal
383 history records check conducted in accordance with section 29-17a;
384 and (3) disclose to such individual, electronically or in writing, (A) the
385 insurance coverage, including the types of coverage and any coverage
386 limits, that the company provides while a transportation network
387 company driver is connected to the company's digital network or is
388 engaged in the provision of a prearranged ride, and (B) that a
389 transportation network company driver's personal automobile
390 insurance policy might not provide coverage while such driver is
391 connected to the company's digital network, available to receive a
392 request for a prearranged ride or engaged in the provision of a
393 prearranged ride.

394 (b) A transportation network company shall conduct, or have a
395 consumer reporting agency regulated under the federal Fair Credit
396 Reporting Act conduct, a local, state and national criminal history
397 records check, including a search of state and national sexual offender
398 registry databases, or arrange for the fingerprinting of the individual
399 to be submitted to the Federal Bureau of Investigation for a national
400 criminal history records check and to the State Police Bureau of
401 Identification for a state criminal history records check conducted in
402 accordance with section 29-17a, at least once every three years after
403 permitting an individual to act as a transportation network company

404 driver.

405 (c) (1) No transportation network company shall permit an
406 individual to act as a transportation network company driver on its
407 digital network if such individual: (A) Has, during the three years
408 prior to the date of such individual's application to be a transportation
409 network company driver, (i) committed more than three moving
410 violations, as defined in section 14-111g, (ii) committed one serious
411 traffic violation, as defined in section 14-1, or (iii) had his or her motor
412 vehicle operator's license suspended pursuant to section 14-227b; (B)
413 has been convicted, within seven years prior to the date of such
414 individual's application, of driving under the influence of drugs or
415 alcohol, fraud, sexual offenses, use of a motor vehicle to commit a
416 felony, acts of violence or acts of terror; (C) is included in the state
417 sexual offenders registry or the United States Department of Justice
418 National Sex Offender Public Website; (D) does not possess a
419 Connecticut motor vehicle operator's license; (E) does not possess
420 proof of registration for each motor vehicle such individual proposes
421 to use as a transportation network company vehicle; or (F) is not at
422 least nineteen years of age.

423 (2) An individual who is permitted to act as a transportation
424 network company driver shall report to the transportation network
425 company not later than twenty-four hours after the occurrence of any
426 of the following incidents: (A) The commission of a fourth moving
427 violation, as defined in section 14-111g, during the past three years; (B)
428 the commission of one serious traffic violation, as defined in section
429 14-1; (C) the suspension of his or her motor vehicle operator's license
430 pursuant to section 14-227b; (D) the conviction of driving under the
431 influence of drugs or alcohol, fraud, sexual offenses, use of a motor
432 vehicle to commit a felony, acts of violence or acts of terror; (E)
433 inclusion in the state sexual offenders registry or the United States
434 Department of Justice National Sex Offender Public Website; (F) failure
435 to possess an operator's license; or (G) failure to possess proof of
436 registration for a transportation network company vehicle. Each
437 transportation network company that receives a report pursuant to this

438 subdivision or becomes aware of such incident shall prohibit the
439 individual from acting as a transportation network company driver on
440 the company's digital network until the individual meets the
441 qualifications of this section to be a transportation network company
442 driver.

443 Sec. 7. (*Effective from passage*) (a) There is established a task force to
444 study the utilization of automated traffic enforcement safety devices to
445 enforce the provisions of section 14-299 of the general statutes,
446 concerning traffic control signals at intersections.

447 (b) The task force shall consist of the following members:

448 (1) Two appointed by the speaker of the House of Representatives;

449 (2) Two appointed by the president pro tempore of the Senate;

450 (3) One appointed by the majority leader of the House of
451 Representatives;

452 (4) One appointed by the majority leader of the Senate;

453 (5) One appointed by the minority leader of the House of
454 Representatives;

455 (6) One appointed by the minority leader of the Senate;

456 (7) The Commissioner of Transportation, or the commissioner's
457 designee;

458 (8) The Commissioner of Emergency Services and Public Protection,
459 or the commissioner's designee; and

460 (9) Two persons appointed by the Governor.

461 (c) Any member of the task force appointed under subdivision (1),
462 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
463 of the General Assembly.

464 (d) All appointments to the task force shall be made not later than

465 thirty days after the effective date of this section. Any vacancy shall be
466 filled by the appointing authority.

467 (e) The speaker of the House of Representatives and the president
468 pro tempore of the Senate shall select the chairpersons of the task force
469 from among the members of the task force. Such chairpersons shall
470 schedule the first meeting of the task force, which shall be held not
471 later than sixty days after the effective date of this section.

472 (f) The administrative staff of the joint standing committee of the
473 General Assembly having cognizance of matters relating to
474 transportation shall serve as administrative staff of the task force.

475 (g) Not later than January 1, 2020, the task force shall submit a
476 report on its findings and recommendations to the joint standing
477 committee of the General Assembly having cognizance of matters
478 relating to transportation, in accordance with the provisions of section
479 11-4a of the general statutes. The task force shall terminate on the date
480 that it submits such report or January 1, 2020, whichever is later.

481 Sec. 8. (*Effective from passage*) The Commissioners of Transportation
482 and Energy and Environmental Protection shall jointly study the
483 feasibility of (1) connecting the Air Line State Park Trail with the
484 Farmington Canal Heritage Trail by constructing a trail from the town
485 of East Hampton through the towns of Portland, Middletown, Meriden
486 and Cheshire, and (2) facilitating multimodal access through the
487 railroad station in the town of Meriden. Not later than January 1, 2020,
488 the commissioners shall submit a report of the results of such study to
489 the joint standing committee of the General Assembly having
490 cognizance of matters relating to transportation, in accordance with
491 the provisions of section 11-4a of the general statutes.

492 Sec. 9. (*Effective from passage*) The Commissioner of Transportation
493 shall study alternative funding sources to open and maintain rest areas
494 twenty-four hours a day. Not later than January 1, 2020, the
495 commissioner shall submit a report of the results of such study to the
496 joint standing committee of the General Assembly having cognizance

497 of matters relating to transportation, in accordance with the provisions
 498 of section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	14-100a(c)
Sec. 2	<i>October 1, 2019</i>	54-33m
Sec. 3	<i>from passage</i>	13b-376
Sec. 4	<i>from passage</i>	14-96q
Sec. 5	<i>from passage</i>	14-270
Sec. 6	<i>October 1, 2019</i>	13b-119(a) to (c)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 3(b)(6), "if a national nonprofit organization operates and maintains the program, require such organization to" was inserted before "submit" and "the commissioner may have" was deleted to clarify the requirement regarding the annual report, in Section 6, amended Subsec. (a) by adding "Connecticut" to conform with changes being made in Subsec. (c); and in Section 8(1), "State Park" was inserted after "Air Line" for accuracy.

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Resources of the General Fund	GF - Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

Sections 1 and 2 of the bill expand seatbelt requirements to include all passengers, as opposed to front seat only and, results in revenue gain from an increase in violations. In FY 18, 11,284 violations resulted in approximately \$1.4 million in fine revenue.

The other sections in the bill either codify current practice or have no fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**sHB 7140*****AN ACT IMPLEMENTING THE DEPARTMENT OF TRANSPORTATION'S RECOMMENDATIONS REGARDING SEAT BELTS, THE OPERATION LIFESAVER PROGRAM, MAINTENANCE VEHICLES AND TRANSPORTATION STATUTES.*****SUMMARY**

This bill makes various changes to the transportation statutes, including:

1. requiring all motor vehicle occupants, instead of only drivers and specified passengers, to wear a seat belt while the vehicle is moving (§§ 1 & 2);
2. transferring administration of the Operation Lifesaver Program from the Operation Lifesaver Committee to the Department of Transportation (DOT) and expanding the commissioner's related duties (§3);
3. modifying the membership and duties of the Operation Lifesaver Committee (§3);
4. allowing DOT-owned and -operated maintenance vehicles to use green lights, in addition to amber and yellow lights allowed under existing law (§ 4);
5. requiring transportation network company (TNC) drivers to hold a Connecticut driver's license, instead of a driver's license from any jurisdiction as under current law (§ 6);
6. establishing a 12-member task force to study the use of red light cameras at intersections (§ 7);

7. requiring the transportation and energy and environmental protection commissioners to study connecting certain trails and facilitating multimodal access at the Meriden train station (§ 8); and
8. requiring the DOT commissioner to study alternative funding sources to open and maintain rest areas for 24 hours per day and report the results to the Transportation Committee by January 1, 2020 (§9).

The bill also makes technical and conforming changes, including eliminating an obsolete provision that waived certain oversize truck permit fee increases during FY 17 (§5).

EFFECTIVE DATE: Upon passage, except that the provisions on seat belts and transportation network drivers are effective October 1, 2019.

§§ 1 & 2 — BACK SEAT PASSENGER SEAT BELT USE

The bill requires all occupants in a motor vehicle or fire-fighting apparatus to wear a seat belt while the vehicle is moving. Current law only requires the driver, front seat passenger, and certain back seat passengers (i.e., passengers under age 16 and passengers of operators under age 18) to do so.

As under existing law, a driver or front seat passenger who fails to wear a seat belt commits a primary offense, which allows a law enforcement officer to stop the vehicle solely for that offense. The bill makes any back seat passenger's failure to wear a seat belt a secondary offense, prohibiting officers from stopping a vehicle unless another offense has occurred. Under current law, back seat passengers who are required to wear a seat belt commit a primary offense when they fail to do so.

As under existing law, failure to wear a seat belt is not probable cause for law enforcement to search the vehicle and its contents. Violators commit an infraction and are subject to existing fines of (1)

\$50 if the vehicle operator is age 18 or older or (2) \$75 if the vehicle operator is under age 18.

§ 3 — OPERATION LIFESAVER PROGRAM

Transfer of Program Operation

The bill requires DOT, rather than the Operation Lifesaver Committee, to establish and operate the Operation Lifesaver program. By law, the program is designed to (1) reduce the number of accidents at railroad crossings and (2) increase public awareness of railroad crossing hazards.

In doing so, the bill transfers to DOT the committee's current program responsibilities, including educating the public on how to reduce accidents, deaths, and injuries at railroad crossings and encouraging the development of engineering and safety improvements, among other things. The bill additionally requires the commissioner to (1) ensure that the Operation Lifesaver Committee guides and promotes the program locally and (2) adhere to the program's goals and objectives.

Nonprofit Operator

To operate the program, the bill allows the DOT commissioner to contract with a national nonprofit organization that is dedicated to increasing public safety and providing education related to railroad crossings. If he does so, the commissioner must require the organization to submit an annual report to the Operation Lifesaver Committee on the program's status and any recommendations regarding the program's goals or objectives.

Committee

The bill reduces, from eight to three, the membership of the Operation Lifesaver Committee. It does so by removing from the committee's membership the six legislative appointees and adding the Department of Motor Vehicles commissioner or her designee. It retains as committee members the DOT and Department of Emergency Services and Public Protection (DESPP) commissioners, or their

designees. The DOT commissioner or his designee continues to serve as the committee's chairperson.

The bill eliminates the requirement that the committee (1) make recommendations to the legislature to implement the committee's purpose and (2) annually review its progress and submit findings and recommendations to the Transportation Committee.

Grants

The bill allows the DOT commissioner, within available federal resources, to administer grants and other funds to public and private schools to help them establish and operate an Operation Lifesaver training program.

To do this, the bill allows the commissioner to apply for and receive grants, gifts, and other funds from any person, political subdivision, or other governmental or private entity, including the federal government or any of its agencies.

§ 4 — DOT MAINTENANCE VEHICLE LIGHTS

Existing law allows maintenance vehicles to use yellow and amber lights, including flashing lights. The bill allows DOT-owned and -operated maintenance vehicles to also use green lights, including flashing lights, and any combination of green, yellow, or amber lights.

§ 7 — AUTOMATED TRAFFIC ENFORCEMENT TASK FORCE

The bill establishes a 12-member task force to study the use of red light cameras (i.e., automated traffic enforcement safety devices) and report its findings and recommendations to the Transportation Committee by January 1, 2020. Task force members include:

1. the DOT and DESPP commissioners, or their designees;
2. two members each appointed by the House speaker and the Senate president pro tempore;
3. one member each appointed by the House and Senate majority and minority leaders; and

4. two members appointed by the governor.

Appointing authorities must make their appointments within 30 days after the bill's effective date and fill any vacancies. Under the bill, appointed members may be legislators.

The bill requires the House speaker and Senate president pro tempore to select the task force's chairpersons from among its members. The chairpersons must schedule the task force's first meeting and hold it within 60 days after the bill takes effect. The Transportation Committee's administrative staff serves as the task force's administrative staff.

§ 8 — STUDY ON CONNECTING TRAILS AND TRAIN STATION ACCESS

The bill requires the transportation and energy and environmental commissioners to study the feasibility of:

1. connecting the Air Line State Park Trail with the Farmington Canal Heritage Trail by constructing a trail from East Hampton through the towns of Portland, Middletown, Meriden, and Cheshire and
2. facilitating multimodal access through the railroad station in Meriden.

The commissioners must report the study results to the Transportation Committee by January 1, 2020.

BACKGROUND

Related Bill

HB 7196 (File 150), favorably reported by the Public Health Committee, also requires all motor vehicle occupants to wear seat belts.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 28 Nay 8 (03/20/2019)